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Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
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Doyle A. Siever*
Ulrike Winkler
Bryan L. Skelton*
Paul A. Calvo
Robert A. Schwartzman
C. Matthew Rozier
Alexandra K. Pechhold

Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes
Steven C. Oppenheimer
Aaron S. Lukas
Gaurav Asthana

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie
Christopher P. Wrist

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July 13, 2007

WRITER'S DIRECT NUMBER:
(202) 772-8560
INTERNET ADDRESS:
RESMOND@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1614

Re: U.S. Utility Patent Application
Application No. 10/572,910; Filed: March 21, 2006
For: **Substituted 2-Arylmethylene-N'-aryl-N'-aryl-malonamides and
Analogues as Activators of Caspases and Inducers of Apoptosis**
Inventors: CAI *et al.*
Our Ref: 1735.0930001/RWE/BSA

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Executed Statement Under 37 C.F.R. 3.73(b);
2. Executed Power of Attorney from Assignee; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/BSA/nef
Enclosures

691383_1.DOC

**STATEMENT UNDER 37 CFR 3.73(b)**

1735.0930001/RWE/BSA

Applicant/Patent Owner: Cytovia, Inc.Application No./Patent No.: 10/572,910 Filed/Issue Date: March 21, 2006Entitled: Substituted 2-Arylmethylene-N-aryl-N'-aryl-malonamides and Analogs as Activators of Caspases and Inducers of Apoptosis(Name of Assignee) Cytovia, Inc, a corporation
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 019320, Frame 0313, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

BEN TSENG
Signature
BEN TSENG
Printed or Typed Name
VP Research
Title

19 June 2007
Date
858 202 4004
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

POWER OF ATTORNEY FROM ASSIGNEE

Cytovia, Inc, a corporation of Delaware, having a principal place of business at 6650 Nancy Ridge Drive, San Diego, California 92121, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) February 10, 2006; (2) March 7, 2006; (3) February 13, 2006; (4) February 24, 2006, of an invention known as **Substituted 2-Arylmethylene-N-aryl-N'-aryl-malonamides and Analogs as Activators of Caspases and Inducers of Apoptosis** (Attorney Docket No. 1735.0930001/RWE/BSA), that is disclosed and claimed in a patent application of the same title by the inventors (1) Sui Xiong CAI, (2) Azra PERVIN, (3) Shailaja KASIBHATLA and (4) Bao Ngoc NGUYEN (said application has a 371(c) Date of March 21, 2006, at the U.S. Patent and Trademark Office, and having Application Number 10/572,910, which is the U.S. national phase of International Application No. PCT/US2004/032570, International Filing Date October 5, 2004).

For the purpose of PAIR, the **Customer Number is 26111**.

The Assignee hereby appoints the patent practitioners associated with **CUSTOMER NUMBER 26111** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith. The Assignee hereby grants said patent practitioners associated with **CUSTOMER NUMBER 26111** the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

CUSTOMER NUMBER 26111
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Cytovia, Inc
SIGNATURE: BEN TSENG
BY: BEN TSENG
TITLE: VP Research
DATE: 19 June 2007